

## **PART 1400—NONPROCUREMENT DEBARMENT AND SUSPENSION**

Sec.

1400.10 What does this part do?

1400.20 When does this part apply to me?

1400.30 What policies and procedures must I follow?

### **Subpart A—General**

1400.137 Who in the Department of the Interior may grant an exception to let an excluded person participate in a covered transaction?

### **Subpart B—Covered Transactions**

1400.215 Which nonprocurement transactions, in addition to those listed in 2 CFR 180.215, are not covered transactions?

1400.220 What contracts and subcontracts, in addition to those listed in 2 CFR 180.220, are covered transactions?

### **Subpart C—Responsibilities of Participants Regarding Transactions**

1400.332 What methods must I use to pass requirements down to participants at lower tiers with whom I intend to do business?

### **Subpart D—Responsibilities of Federal Agency Officials Regarding Transactions**

1400.437 What method do I use to communicate to a participant the requirements described in the OMB guidance at 2 CFR 180.435?

### **Subparts E–H [Reserved]**

### **Subpart I Definitions**

1400.930 Debarring official (Department of the Interior supplement to the definition at 2 CFR 180.930).

1400.970 Nonprocurement transaction (Department of the Interior supplement to the definition at 2 CFR 180.970).

1400.1010 Suspending official (Department of the Interior supplement to the definition at 2 CFR 180.930).

**AUTHORITY:** E.O. 12549 (3 CFR, 1986 Comp., p. 189); E.O. 12689 (3 CFR, 1989 Comp., p. 235); sec. 2455 Pub. L. 103-355, 108 Stat. 3327 (31 U.S.C. 6101 note); 5 U.S.C. 301.

**SOURCE:** 72 FR 33384, June 18, 2007, unless otherwise noted.

#### **§ 1400.10 What does this part do?**

This part adopts the Office of Management and Budget (OMB) guidance in

subparts A through I of 2 CFR part 180, as supplemented by this part, as the Department of the Interior policies and procedures for nonprocurement debarment and suspension. It thereby gives regulatory effect to the OMB guidance as supplemented by this part. This part satisfies the requirements in section 3 of Executive Order 12549, “Debarment and Suspension” (3 CFR 1986 Comp., p. 189), Executive Order 12689, “Debarment and Suspension” (3 CFR 1989 Comp., p. 235) and 31 U.S.C. 6101 note (Section 2455, Pub. L. 103-355, 108 Stat. 3327).

#### **§ 1400.20 When does this part apply to me?**

This part and, through this part, pertinent portions of the OMB guidance in subparts A through I of 2 CFR part 180 (see table at 2 CFR 180.100(b)) apply to you if you are—

(a) Participant or principal in a “covered transaction” (see subpart B of 2 CFR part 180 and the definition of “nonprocurement transaction” at 2 CFR 180.970, as supplemented by subpart B and § 1400.970);

(b) Respondent in a Department of the Interior suspension or debarment action;

(c) Department of the Interior debarment or suspension official, i.e., the Director, Office of Acquisition and Property Management; or

(d) Department of the Interior grants officer, agreements officer, or other official authorized to enter into any type of nonprocurement transaction that is a covered transaction.

#### **§ 1400.30 What policies and procedures must I follow?**

(a) The Department of the Interior policies and procedures that you must follow are specified in:

(1) Each applicable section of the OMB guidance in subparts A through I of 2 CFR part 180; and

(2) The supplement to each section of the OMB guidance that is found in this part under the same section number. (The contracts that are covered transactions, for example, are specified by section 220 of the OMB guidance (i.e., 2 CFR 180.220) as supplemented by section 220 in this part (i.e., Sec. 1400.220)).